

**NOTICE OF OPEN MEETING**  
**TENTATIVE AGENDA**  
**5th Meeting**

**DATE: Tuesday, March 8, 2005**

**TIME: 9:00 a.m.**

**PLACE: Rhode Island Ethics Commission**  
**Hearing Room - 8th Floor**  
**40 Fountain Street**  
**Providence, RI 02903**

**1. Motion to approve minutes of Open Session held on February 15, 2005.**

**2. Advisory Opinions.**

**Fast Track Advisory Opinions**

**A. Mark McSally, Esq., the Town Solicitor for the Town of Narragansett, a municipal appointed position, requests an advisory**

**opinion regarding whether he may continue to serve as Town Solicitor while, in his private capacity as a practicing attorney, he represents a member of the Town Council.**

**B. Barbara A. Barrow, Esq, a Middletown Town Councilor, a municipal elected position, who in her private employment is an associate attorney at a law firm, requests an advisory opinion as to what limits the Code of Ethics places upon her legal practice and that of her employer before the Town and its departments.**

**C. Michelle A. Buck, Esq., a Westerly Town Councilor, a municipal elected position, who in her private employment is an associate attorney at a law firm, requests an advisory opinion as to what limitations the Code of Ethics places upon her when attorneys from her firm appear before the Westerly Probate Court, considering that she has recused and will continue to recuse from participating in the Town Council's appointment of the Probate Court Judge.**

**D. Krista J. Garrett, a member of the Narragansett Town Council, a municipal elected position, requests an advisory opinion as to whether she may remain a member of the Board of Directors of the Narragansett Little League, given that the Little League may receive an annual appropriation in the Town's budget that is adopted by the Town Council.**

**E. Raymond C. Church, a member of the Rhode Island House of**

**Representatives, a state elected position, requests an advisory opinion regarding what steps he should take to comply with the Code of Ethics when matters come before him relating to the Rhode Island Accountancy Statute or to certified public accountants in general, given his employment as the Executive Director of the Rhode Island Society of Certified Public Accountants.**

**F. Edward R. McCormick, III, the Chairman of the Cumberland Zoning Board of Review, a municipal appointed position, requests an advisory opinion as to whether he may be appointed to and serve as the Cumberland Assistant Town Solicitor, given that the Assistant Town Solicitor serves as legal counsel to the Zoning Board of Review.**

**G. Gary A. Girard, Chair of the Jamestown Planning Commission, a municipal appointed position, requests an advisory opinion as to whether he may participate in and vote on changes to the Jamestown Zoning Ordinance related to the protection of critical lands containing freshwater wetlands, high ground water table, and/or shallow impervious layer, given that his property is located within the overlay district containing these critical lands.**

**H. David R. Gifford, MD MPH, nominated by the Governor to serve as the Director of the Rhode Island Department of Health, a state appointed position, requests an advisory opinion regarding how to manage and avoid potential conflicts of interest given his spouse's**

**profession as a private consultant and as an employee of an entity that has current and likely future contracts with the Department of Health.**

**3. Motion to go into Executive Session pursuant to R.I. Gen. Laws § 42-46-5(a)(1)**

**and (a)(4), for the discussion of investigative proceedings regarding allegations**

**of misconduct and/or the discussion of litigation, and approval of minutes**

**relating to such discussions, to wit:**

**a.) Motion to approve minutes of Executive Session held on February 15, 2005.**

**b.) In re: Luis Aponte,  
Complaint No. NF2005-3**

**c.) In re: Robert Dale,  
Complaint No. NF2005-7**

**d.) In re: David Swain,  
Complaint No. NF2005-14**

**e.) In re: John Toro,  
Complaint No. NF2005-21**

- 4. Motion to seal minutes of Executive Session held on March 8, 2005.**
- 5. 2005 Legislative Session Update.**
- 6. Director's Report.**
- 7. New Business.**
- 8. Adjournment.**

**ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION AT 222-3790 (V), 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-555.**